

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DAVID MARBRA #L668

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:06cv222LG-JMR

LAWRENCE KELLY, ET AL.

DEFENDANTS

FINAL JUDGMENT

This cause came on this date to be heard upon the Proposed Findings of Fact and Recommendations of Chief United States Magistrate Judge John M. Roper entered in this cause on November 22, 2006. The Court, having adopted said Report and Recommendation as the finding of this Court by Memorandum Opinion and Order entered this date, finds that this matter should be dismissed. Accordingly,

IT IS ORDERED AND ADJUDGED that the Motion to Dismiss filed May 10, 2006, [5-1] should be and is hereby **GRANTED** and Marbra's §2254 petition is hereby dismissed as time-barred under 28 U.S.C. § 2244(d)(1).

SO ORDERED AND ADJUDGED this the 12th day of January, 2007.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE